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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Office of the Commission Secretary
Federal Communications Commission
445 12th Street, TW-A325, S.W.
Washington, D.C. 20554

RE: CC Docket No. 94-102, Ex Parte Request for Further Consideration of Call Back
Number Issues Associated with Non-Service Initialized Wireless 9-1-1 Calls

Dear Ms. Salas:

The Texas 9-1-1 Agencies¹, the National Emergency Number Association ("NENA"), the Association of Public-Safety Communications Officials-International, Inc. ("APCO") and the National Association of State Nine-One-One Administrators ("NASNA") (collectively, "the Public Safety Entities") respectfully request further consideration by the Federal Communications Commission ("Commission" or "FCC") in the above-referenced docket on call back number issues associated with non-service initialized 9-1-1 calls. In support of this request, the Public Safety Entities would respectfully show:

¹ The Texas 9-1-1 Agencies are comprised of the Texas Commission of State Emergency Communications (a state agency) and the following local Texas Emergency Communications Districts: Tarrant County 9-1-1 District, Bexar Metro 9-1-1 Network, Brazos County Emergency Communication District, DENCO Area 9-1-1 District, 9-1-1 Network of East Texas, Galveston County Emergency Communication District, Greater Harris County 9-1-1 Emergency Network, Henderson County 9-1-1 Communication District, Howard County 9-1-1 Communication District, Kerr Emergency 9-1-1 Network, Lubbock County Emergency Communication District, McLennan County Emergency Assistance District, Midland Emergency Communication District, Montgomery County Emergency Communication District, Potter-Randall County Emergency Communication District, and Texas Eastern 9-1-1 Network.

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1) Now is the Appropriate Time to Update the Record and Revisit the Issue of Providing Reliable Call Back Numbers for All Wireless 9-1-1 Calls

Public Safety Entities are in the process of actively implementing wireless 9-1-1 Phase I service. For example, it is expected that most of Texas will have wireless 9-1-1 Phase I service implemented by the end of this year. This will mean that Texans will now have the call back number benefits contemplated in the Commission's wireless E9-1-1 rules.

Increasingly more and more donated wireless telephones are being distributed by many organizations. (See, Attachment.) The Public Safety Entities do not challenge the benefits of these donations or continuing to forward all wireless 9-1-1 calls, but rather are concerned with seeking solutions for situations where these wireless telephones may not provide valid call back number information even when wireless 9-1-1 Phase I service has been implemented in an area. This lack of a valid call back number can add confusion and education/training issues for (1) the callers using these wireless telephones to call 9-1-1, (2) the persons distributing these wireless telephones for calling 9-1-1, and (3) the Public Safety Answering Points that have implemented or will soon implement wireless 9-1-1 Phase I service and are receiving or will receive these calls without valid call back number information.

In the First Memorandum Opinion and Order, the Commission discussed this call back number issue and noted its intent to revisit the issue at a later stage of CC Docket No. 94-102. The Commission stated:

109. While we acknowledge that it is not currently possible for carriers to provide reliable call back numbers for all wireless 911 calls, and it is unlikely that the capabilities can be developed, tested, and implemented prior to the scheduled April 1, 1998, implementation date, we urge the wireless industry to continue their efforts to evaluate and develop these capabilities. In particular, we note Alliance's claim that call back capability is technically feasible in almost all situations, including "non-code identification" 911 calls, while also noting the various rebuttals to that claim.
110. While parties argue that Alliance's proposed solution is fraught with problems, and that the time and costs associated with developing the solution advocated by Alliance would be prohibitive, they also concede that it may be possible in the future to create unique call back capabilities for non-service initialized handsets. SBMS, for example, claims that substantial development work by switch manufacturers, along with network reconfiguration by wireless carriers, would be required to allow carriers to provide reliable call back numbers for all wireless 911 calls. Because the present record is insufficient to evaluate Alliance's proposed solution, however, we ask signatories to the Consensus Agreement and other interested parties to include a status report on this issue as part of their scheduled annual reports to

us. We will revisit this issue when we resolve remaining issues in later stages of this proceeding.

Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Memorandum Opinion and Order, 12 FCC Rcd 22665 (1997) at Paragraphs 109 and 110.

The Public Safety Entities believe that now is the appropriate stage of this proceeding for the Commission to take additional comment and revisit the call back number issues to determine if any further Commission action is necessary or appropriate. Wireless E9-1-1 Phase I service will now be operational in much of Texas and in other areas throughout the country. The increasing number of wireless telephones that may be used to call 9-1-1 without valid call back information and the call disconnection issues associated with the use of wireless telephones creates a public safety concern that should be further considered in this proceeding. The Public Safety Entities believe that it would be much better to update the record on technical solutions that may be possible in the near future before parties spend more time, effort, and expense working on additional education/training solutions to address the issue.

2) Conclusion

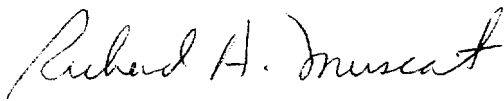
The Public Safety Entities respectfully submit that this request be granted and that the Commission initiate an update of the record on the call back number information issues for 9-1-1 calls and that the Commission take any further action that may be necessary or appropriate to protect public safety.

Thank you for your attention to this matter.

Respectfully submitted,



Rupaco T. González, Jr.



Richard A. Muscat

Attorneys at Law

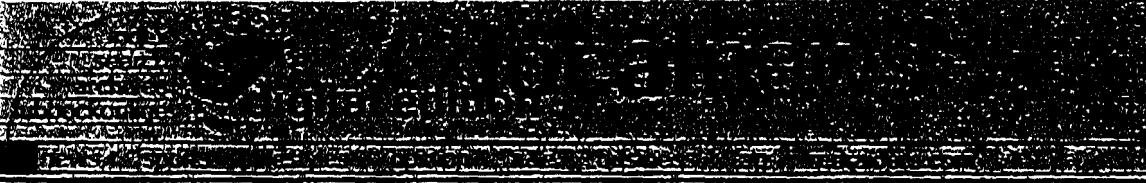
On behalf of or with the Permission of the above-referenced Parties

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Used cell phones to protect women

By ANDREA WATSON
Avalanche-Journal

Cellular phones are part of many people's daily lives and, after a time, so is the question of what to do with an old phone that either no longer works or has been replaced. One local business hopes to have an answer.

ERA Excel Realtors Inc. has joined with the Call to Protect program to collect used cell phones.

The phones will be sent to Motorola to be refurbished and programmed to dial emergency numbers then sent on to women's shelters across the country.

The phones will allow women to have a sense of safety when away from the shelter because they will have a way to call for help, said Mona Bromley, an agent with ERA Excel.

"This way, they can call for safety," Bromley said. "Also, the sight of the phone might protect the women."

Anyone wanting to donate a used phone can drop it off at the ERA Excel office, 5101 80th St., Suite 1, between 8 a.m. and 5 p.m.

"We'll collect them as long as people want to bring them in," she said. "It's such a good cause I hate to stop it."

"What we'll probably do is collect them for a couple of weeks then send them off. But we'll keep collecting more after that."

Using a real estate agency as a drop-off point seemed natural,



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Bromley said.

"Realtors, particularly, have a lot of used phones," she said. "I just thought we could get a couple hundred in Lubbock."

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Bromley said she learned of the program while watching "Good Morning America," which promoted the program.

"I thought it would be a great idea," she said. "It's a good cause, plus it gives us a way to get rid of old phones. I hate to waste stuff."

Aubry Bishop, president and broker of ERA Excel, said the entire staff is behind the project.

"I never thought they could take old phones and use them for that," he said.

"But from a community standpoint, this is for a good cause and a good effort, and we wanted to be a part of that."

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A ~~PHONE~~ ⁴⁴² calling

Group finds good new use for old mobile phones

Each year the Arlington Police Department reports an average of 3,500 domestic assaults and 600 reports of harassment. A new campaign currently spreading across the nation could reduce those figures significantly.

The Wireless Foundation and the National Coalition Against Domestic Violence have launched the national Donate A Phone campaign.

At a time when wireless telephones are out-

dated not long after they're purchased,

these two groups have found a way for old phones to regain their value.

Almost 28,000 wireless phones have been donated and reprogrammed to dial 911 or a crisis hotline at the touch of a button.

AT ISSUE

Helping domestic violence victims

The phones are being distributed to shelters all over the country, including facilities in Denton, Dallas and Tarrant counties.

The Family Place, a Dallas agency for domestic violence victims, has already received 50 phones, according to spokesperson Kelly Strzinek.

The campaign was even featured in a recent segment of ABC-TV's *Good Morning America*, which featured a recording of a woman who escaped abuse by her husband when she called police on one of the donated phones.

At-risk individuals should remember that the cell phones must be kept charged, so a cell pack is a necessity. Arlington's 911 system will be able to track the location of mobile phone calls. Currently, emergency operators can trace the number, which is still useful to those receiving donated phones locally.

Officials say that 22 percent of emergency calls in Arlington come from mobile phones. The Arlington Women's Shelter, which has received donated phones from other groups in the past, is encouraging people to take part in this program.

Your donated outdated wireless phone might end up saving a life.

Anyone interested in donating a phone can visit the Web site (www.donateaphone.com) or call 1-888-901-SAFE. Or mail your phones to: CALL to PROTECT c/o Brightpoint Inc., 501 AirTech Parkway, Doors 23/24, Plainfield, TN 37168

Wireless Deals

aide in Northridge, Calif., just bought his first cell phone in mid-February. He signed up for L.A. Cellular's SmartDigital Plan, which runs \$30 a month and includes 75 minutes of peak air-time and 500 weekend minutes per month. He'd been watching prices drop for years and decided they had fallen enough for him to dive in. But he dived in a little deeper than he anticipated. Less than a week after getting the phone, he'd used up more than half of his monthly allotment. "Seventy-five minutes goes a lot quicker than I thought it would," he sheepishly admits. In fact, he's already thinking about upgrading his plan. To what? Try 400 peak-time minutes per month.

Here are five typical user categories.

EMERGENCIES ONLY (REALLY):

You have willpower. But, like Vic Doucette, you figure a cell phone could save your life.

Focus on: Cheap per-month charges—somewhere between \$10 and \$20. Yes, that will probably cover few, if any, calls a month. But the high charges on extra minutes don't matter because you're hardly ever going to use your phone. You'll probably want to go analog; why shell out extra for a digital phone? BellSouth Mobility in Alabama, for example, charges \$14.99 for their "safety plan," with no minutes included. AT&T Digital PCS offers a similar "convenience plan" for \$14.99 a month.

Those sound good, but we have an option that could be even better for true emergency-only users. In fact, the only cost is the phone itself. As of Jan. 16, the FCC has required wireless carriers to "transmit all wireless 911 calls (from both subscribers and nonsubscribers)." Translation: You can call 911 without having any cellular service at all.

Cell services aren't making a big noise about this, but they acknowledge that it's true. (Many carriers have forwarded such calls from nonsubscribers for years, but they weren't required to, so naturally many didn't.) Explains Jeff Battcher of BellSouth Mobility: "You could go to a pawnshop in Atlanta, buy a phone, hit 911, and the call will go through regardless of whether you're an authorized user or not." Just make sure the battery is charged. And try it out once before you rely on it for your next solo trek across the Mojave; there may be some older phones or regions of the country that aren't covered.

You may even be able to make calling-card or collect calls without having a service. This doesn't always work (it's not required by the FCC), and when it does it can be expensive. When we tried this from New York City on our inactive phone, we were told the charge was a \$1.25 setup fee and \$1.95 a minute to make a calling-card call. Still, that beats a year's worth of monthly bills.

EMERGENCIES ONLY (NOT REALLY): You bought the phone because it was a logical decision. You could break down in the middle of nowhere. You could be accosted in a dark alleyway. You could be running late to a fabulous party and not have time to stop and call.

See how easily that can happen? As

Chin Tang learned, the convenience factor sucks you in. If your definition of emergency expands to 10 or 15 minutes on the cell phone every month, your strategy should be different.

Focus on: A cheap base rate, with an eye on what you'll be charged per minute when you spill over your initial allotment. Make a realistic estimate of the number of minutes per month you'll use the service and do the math.

Also, you may have a clear idea of what qualifies as an emergency, but the people you give your number to may not. So check whether your provider gives you the first minute free on incoming calls. AT&T doesn't, but Bell Atlantic and others do, with certain plans.

Is a pager all you really need?

In the old days, a beeper was the most cutting-edge way to reach bosses on the 10th tee. Then came cell phones. Now it turns out that reports of the beeper's (or rather, the pager's) pending demise were greatly exaggerated. The industry is actually growing, albeit at a slower pace than cell phones, according to the Yankee Group, a Boston-based research firm.

And pagers are worth looking into if you're thinking of getting a cell phone mostly because you want someone else (clients, spouse, babysitter) to be able to reach you. They're generally cheaper to use, their battery life is longer and they're more portable. And, adds Brenda Maxfield of the Personal Communications Industry Association: "You can see who's calling and decide when—and if—you want to call them back."

The most popular varieties display either incoming numbers only (good ones cost \$30 to \$50) or numbers and let-

ters (\$60 to \$70). Get one that receives transmissions at 900MHz for strong indoor reception.

As with cell phones, you have to pick a service. Numeric service is about \$10 to \$15 a month; alphanumeric can go from \$20 on up. If you plan to stay in your geographic area, check out local options on the Web (www.nerdworld.com) or the Yellow Pages. Ask for a trial period; many providers will allow you to try their service for a week or so for free.

Travelers need a national service, which, on average, will cost more. For example, the most basic alphanumeric package from SkyTel, a big national provider, lets you receive about 600 phone number messages a month for \$25 or so.

Finally, consider what extra features you might want. Voice mail? E-mail? Of course, each drives up the cost, so if the idea is to save money over a cell phone, you may be defeating the purpose. —Brian L. Clark

